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RELEASE OF EASEMENTS

This RELEASE OF EASEMENTS ("Release") is executed on this the 25th day of May, 2016,⁷ by the **LEXINGTON-FAYETTE COUNTY GOVERNMENT**, having an address of 200 East Main Street, Lexington, Kentucky 40507 ("LFUCG"), in favor of **NEWTOWN SPRINGS, LLC**, a Kentucky limited liability company, having an address of 343 Waller Avenue, Suite 100, Lexington, Kentucky 40504 ("Owner").

WHEREAS, pursuant to (a) a Final Record Plat of Newtown Springs, LLC, Unit 1, Section 1, recorded in the Fayette County Clerk's Office at Plat Cabinet M, Slide 974 ("Plat"); and (b) an Easement Minor Amended Record Plat of Newtown Springs, LLC, Unit 1, Section 1, Lot 3 and Unit 1, Section 2, recorded in the Fayette County Clerk's Office at Plat Cabinet N, Slide 267 ("Amended Plat", which together with the Plat shall collectively be referred to herein as the "Plats"), Owner did dedicate certain easements within Unit 1 of the Newtown Center Way and Newtown Springs Drive commercial development shown on the Plats (the "Development") as follows:

- (i) 20-foot utility easement located within Lot 1 (1445 Newtown Center Way), near the eastern boundary;
- (ii) 30-foot access easement located along the northern boundary of Lot 3 (1433 Newtown Center Way) and the southern boundary of Lot 1;
- (iii) 15-foot private storm sewer easement located along the northern boundary of Lot 3; and
- (iv) 15-foot sanitary sewer easement located along the northern boundary of Lot 3 and the southern boundary of Lot 1.

The foregoing easements are collectively referred to herein as the "Easements"; and

WHEREAS, pursuant to an Amended Plat of Newtown Springs, LLC, Unit 1, Sections 1 and 2 being recorded contemporaneously with this Release (the "Amended Plat"), Owner, among other actions, is creating 8 Lots from the original 6 Lots and reconfiguring and renumbering the Lots within the Development and as a result of said reconfiguration and renumbering of the Lots, the Easements are being eliminated; and

WHEREAS, Owner and LFUCG desire to release the Easements which are shown by cross-hatching on Exhibit A attached hereto, those Easements being released being referred to herein as the "Released Easements".


WHEREFORE, for good and valuable consideration, the sufficiency of such consideration is hereby acknowledged, LFUCG does hereby release and terminate the Released

Easements as are depicted on Exhibit A attached hereto, said Exhibit being incorporated herein by reference.

No other easements set forth or depicted on the Plats or the Amended Plat are affected by this Release.

IN WITNESS WHEREOF, LFUCG has executed this Release on the year and date first above stated.

LEXINGTON-FAYETTE URBAN COUNTY
GOVERNMENT

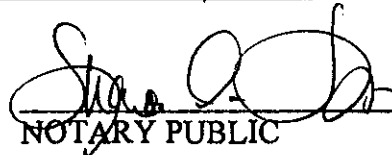
By:  _____
Jim Gray, Mayor

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

Acknowledged before me on this 6th day of June, ~~2016~~²⁰¹⁷, by Jim Gray,
Mayor of the Lexington-Fayette Urban County Government.

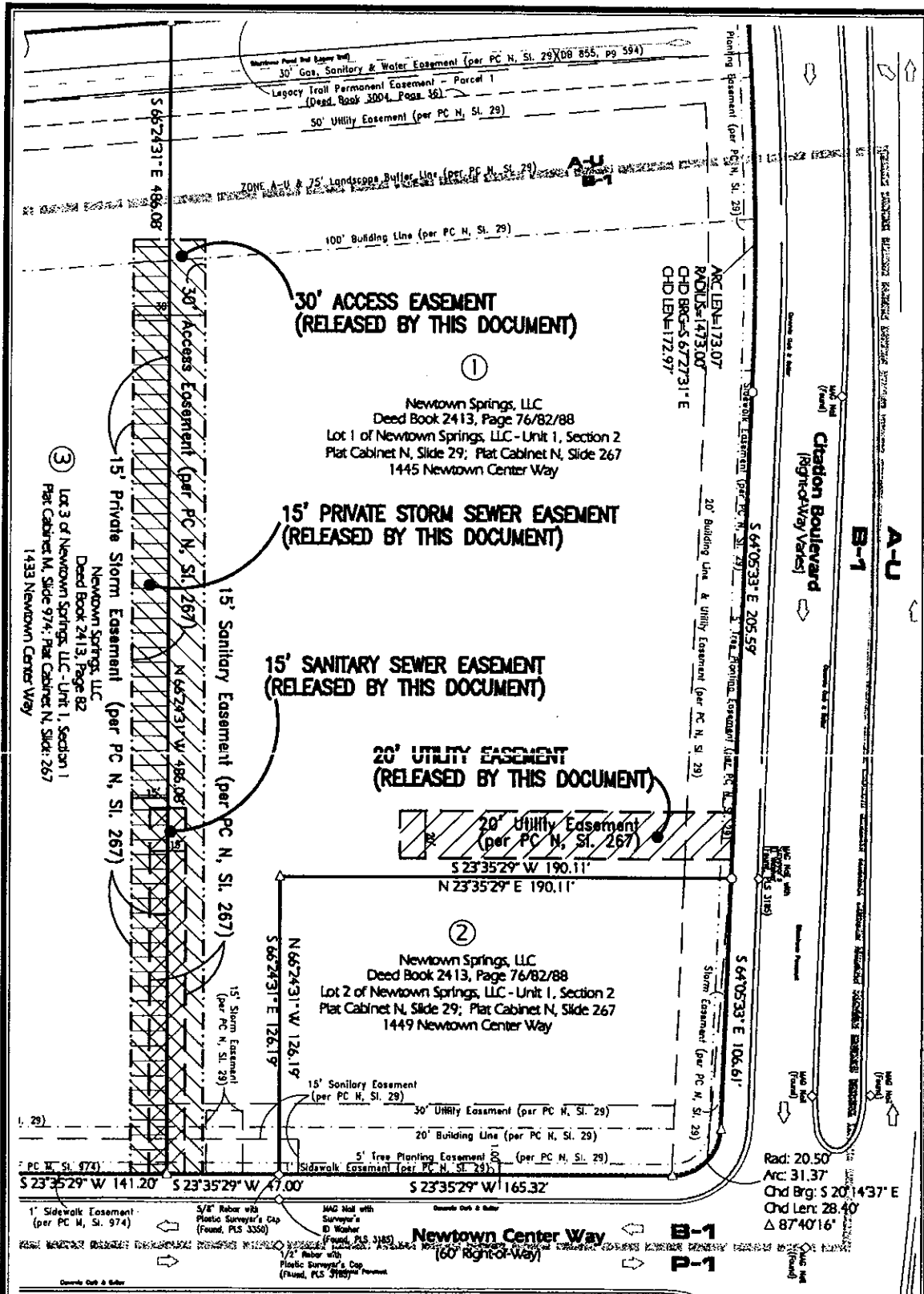
My Commission expires: 28-Dec-2019

 #547793
NOTARY PUBLIC

Prepared by:  _____

John R. Rhorer, Jr.
Dinsmore & Shohl LLP
250 West Main Street, Suite 1400
Lexington, KY 40507
Telephone: (859) 425-1000

"EXHIBIT A"

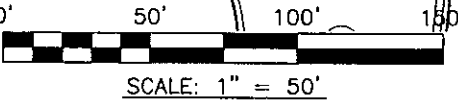


2/13/2017 Final Record Plat for Newtown Springs - Newtown Pile - Lexington, KY 3707 Newtown Springs - Easement Release Exhibits.dwg, 10/14/2016 1:31:09 PM, 1:1, Endris Engineering, KMP

FILE: 3707 Easement Release



THIS EXHIBIT DOES NOT REPRESENT
 A BOUNDARY SURVEY AND IS NOT
 INTENDED FOR LAND TRANSFER



ENDRIS
engineering
 771 ENTERPRISE DRIVE
 LEXINGTON, KENTUCKY 40510

STATE OF KENTUCKY
 KEVIN M. PHILLIPS
 3360
 LICENSED PROFESSIONAL LAND SURVEYOR

Kevin M. Phillips Date
EASEMENT RELEASE
EXHIBIT A

MAYOR JIM GRAY



LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Jim Gray
Urban County Council

FROM: Charles Martin, P.E., Director *ChM*
Division of Water Quality

DATE: April 25, 2017

SUBJECT: RELEASE OF EASEMENTS AT 1445 Newtown Center Way

Request

The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a release of easements, releasing easement at 1445 Newtown Center Way.

Purpose of Request

The easements are no longer needed because there never were structures in these easements.

Project Cost in FY17

There is no projected cost.

Project Cost Impact for Future Budget Years

There is no projected cost.

Are Funds Budgeted

No funds are budgeted.

Law Review

M. Cravens, 10/25/16.

Martin/Hoskins-Squier

DRB

cc: Debbie R. Barnett
Steve Farmer, PE





EASEMENTS
LOCATION

NEWTOWN PIKE

WEST NEW CIRCLE ROAD

Whipple Ct.

Pratt St.

1020

1088

1500

1060